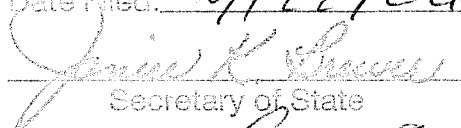
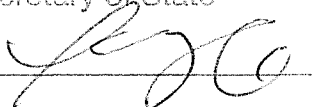


JPA No.: 04-151I
AG Contract No.: KR05-0154TRN
Amendment No. 1
Project No.: CM-CHN-0(002)A
Project: Intersection Improvements
Section: Alma School Road-Warner Rd
TRACS No.: SS534 01C
Budget Source Item No.: N/A

NO. 27406
Filed with the Secretary of State
Date Filed: 9/22/06

Secretary of State
By: 

**AMENDMENT NO. 1
TO
INTERGOVERNMENTAL AGREEMENT**

**BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF CHANDLER**

THIS AGREEMENT is entered into this date September 22, 2006, Amendment No. 1 to JPA No. 04-151, A.G. Contract No.: KR05-0154TRN, filed with the Secretary of State under No. 27406, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF CHANDLER, acting by and through its MAYOR and CITY COUNCIL (the "City"). The State and the City are collectively referred to as "Parties".

I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The City is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

THEREFORE, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

THE PURPOSE OF THIS AMENDMENT IS TO increase project funding.

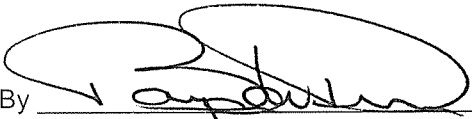
TRACS No: SS534 01C

Total Estimated Cost of the Project	\$5,471,000.00
Federal Aid Funds @ 94.3% of \$3,572,641.00 (CMAQ)	\$3,369,000.00
City Funds @ 5.7% of \$3,572,641.00	\$ 203,641.00
 Federal Aid Funds @ 94.3% of \$768,822.00 (STP MAG)	 \$ 725,000.00
City Funds @ 5.7% of \$768,822.00	\$ 43,822.00
Additional City funds @ 100%	<u>\$1,129,537.00</u>
Estimated Total City Funds	<u>\$1,377,000.00</u>

EXCEPT AS AMENDED herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

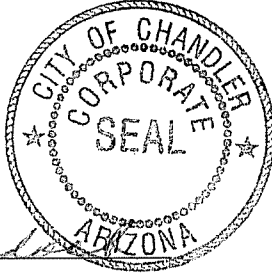
IN WITNESS WHEREOF, the parties have executed this Amended Agreement the day and year first above written.

CITY OF CHANDLER


By 
BOYD W. DUNN
Mayor

ATTEST:

By 
MARLA PADDOCK
Clerk

**STATE OF ARIZONA**

Department of Transportation


By 
CYNTHIA MILLS
Joint Project Administrator

ATTORNEY APPROVAL FORM FOR THE CITY OF CHANDLER

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the CITY under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 5th day of September, 2006.

Richard S. Hansen
City Attorney 

RESOLUTION NO. 3994

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) TO INCREASE THE AMOUNT OF FEDERAL FUNDING FOR THE ALMA SCHOOL ROAD AND WARNER ROAD INTERSECTION IMPROVEMENTS BY \$725,000, FROM \$3,369,000 TO \$4,094,000

WHEREAS, the City of Chandler desires to construct improvements to the Alma School Road and Warner Road intersection ("the project"); and,

WHEREAS, the project has been fully designed and approved by ADOT; and,

WHEREAS, the City previously entered into an Intergovernmental Agreement with ADOT pursuant to Resolution No. 3819 accepting \$3,369,000 in Congestion Mitigation and Air Quality (CMAQ) funding; and,

WHEREAS, since executing the Intergovernmental Agreement, ADOT has identified an additional \$725,000 in federal funding for the project through the Surface Transportation Program (STP); and,

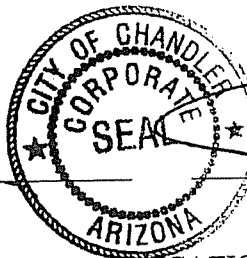
WHEREAS, ADOT proposes to amend the Intergovernmental Agreement to provide a total of \$4,094,000 in federal funding for this project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, that the Mayor is authorized to sign and execute said amendment to the Intergovernmental Agreement originally approved pursuant to Resolution No. 3819 on behalf of the City of Chandler.

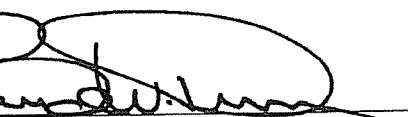
PASSED AND ADOPTED BY THE City Council of the City of Chandler, Arizona, this 31st day of August 2006.

ATTEST:


CITY CLERK



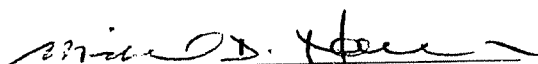
CERTIFICATION



MAYOR

I HEREBY CERTIFY that the above and foregoing Resolution No. 3994 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 31st day of August 2006, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

<p>TERRY GODDARD Attorney General</p>	<p> OFFICE OF THE ATTORNEY GENERAL STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan Davis@azag.gov</p>
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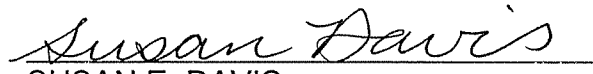
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR05-0154TRN (**JPA 04-1511, Amendment No. 1**), an Agreement between public agencies, i.e., The State of Arizona and The City of Chandler, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: September 19, 2006

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED:mjf:979258
Attachment